

ATTACHMENT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SHIRE LABORATORIES INC.,)	
)	
Plaintiff,)	
)	
v.)	No. 06-CV-2266 (SRC) (RJH)
)	In the U.S. District Court for the
COREPHARMA LLC,)	District of New Jersey
)	
Defendant.)	

OBJECTIONS OF DON VERBARG AND FLUID AIR, INC. TO SUBPOENAS

FLUID AIR, INC. and its PharmPro Services Division (“Fluid Air”), and its employee Don Verbarg (Verbarg), having been served on or about January 7, 2008 with subpoenas issued at the behest of attorneys for the above plaintiff, hereby object pursuant to Rules 45(c)(1)(B) and 45(e), Federal Rules of Civil Procedure. Copies of the subject subpoenas are attached as Exhibits A and B.

Fluid Air and Verbarg object to the subject subpoenas for the following reasons:

1. Both subpoenas purport to require attendance in New York City, which is approximately 900 miles from the Northern District of Illinois, and therefore beyond the reach of any Rule 45 subpoena. Rule 45(e) expressly excuses failure to obey such an extra-territorial subpoena.
2. The undersigned counsel, who is Fluid Air’s principal and attorney sole attorney in all litigation matters, is unavailable to participate in the subject proceedings on the dates designated because he will be fully occupied in preparing and trying a complex case before a National Transportation Safety Board administrative law judge in Chicago, Illinois, in which testimony will begin on January 29, 2008 and continue for the balance of that week.

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Immediately thereafter, he will depart with his wife for a two-week Paris vacation, returning February 17, 2008.

3. The documents requested by Exhibit A to the Fluid Air (PharmPro) subpoena contain a large amount of proprietary and confidential information of Fluid Air's customer Corepharma LLC, which Fluid Air is bound by its own ethical obligations, and by custom and practice in the trade, not to reveal to any third party without (1) the consent of its customer, or (2) a lawful order of a court of competent jurisdiction.

4. The documents requested by Exhibit A are also overly broad and burdensome they would necessarily include, in addition to Corepharma LLC's proprietary and confidential information, Fluid Air's own proprietary trade secrets and business confidential information.

For the foregoing reasons, Fluid Air and Verbarg hereby object to the subpoenas of Exhibits A and B, and requests that plaintiff's counsel personally meet and/or otherwise confer with the undersigned pursuant to Local Rule 37.2 to attempt to resolve the above issues amicably.

Attorney For Fluid Air, Inc.

Date: January 11, 2008

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 11, 2008, one copy of the foregoing OBJECTIONS OF DON VERBARG AND FLUID AIR, INC. TO SUBPOENAS was served by first class mail, postage prepaid, on the following counsel of record:

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